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General debate on national experience in population matters: adolescents and youth

Statement submitted by IPAS, a non-governmental organization in consultative status with the Economic and Social Council

The Secretary-General has received the following statement, which is being circulated in accordance with paragraphs 36 and 37 of Economic and Social Council resolution 1996/31.

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Statement

As an international non-governmental organization working with international and local partners to serve women, including adolescents and young women, we call on the Member States of the Commission on Population and Development to continue affirming and supporting the principles, goals, objectives and recommendations of the Programme of Action of the International Conference on Population and Development and the subsequent global and regional agreements with regard to young people's sexual and reproductive health. We also urge Member States to continue supporting the collection and analysis of data and evidence regarding young people's health needs, to help implement these agreements.

Children's and adolescents' rights

Member States, intergovernmental organizations, national agencies and civil society must recognize that sexual and reproductive rights apply to young people. Governments must respect, protect and fulfil these rights for young people and adolescents just as they do for adults, and they should do this in a progressive way, empowering young people to exercise rights on their own behalf, while protecting and guiding them with their best interests in mind.

One obstacle to the realization of young people's sexual and reproductive rights is the lack of recognition of their sexuality and capacity to make informed decisions. The right to enjoy voluntary, consensual sex derives from the Programme of Action, which states that people have the right to pursue a satisfying and safe sex life. This includes fulfilling young people's rights to have comprehensive information about sexuality and sex, as well as where to access confidential sexual and reproductive health services. Striking the right balance between the empowerment and protection of young people is a complex process that requires looking at each individual's capacity, rather than his/her age. As a child grows, the way that his/her rights are fulfilled will change, taking into consideration his/her evolving capacity.

Fertility, reproductive health and development: critical issues for adolescents

The Programme of Action affirmed the obligation of States to address the reproductive health needs of adolescents both in and out of school: "Countries, with the support of the international community, should protect and promote the rights of adolescents to reproductive health education, information and care and greatly reduce the number of adolescent pregnancies." The five-year review of the Programme of Action also called for appropriate, specific, user-friendly, confidential and accessible services to address adolescents' sexual and reproductive health needs, in a manner consistent with the evolving capacities of the adolescent.

Since then, the Millennium Development Goals have set a target that universal access to reproductive health be established by 2015. In the World Programme for Action on Youth, States were called upon to meet the special needs of young people in the areas of responsible family-planning practice, sexual and reproductive health, sexually transmitted infections, and HIV/AIDS. The World Programme for Action on Youth also emphasized the need to involve young people in the implementation of programmes in these areas.

Unwanted pregnancies and unsafe abortion

Today, millions of women and girls around the world still do not have adequate access to affordable and acceptable modern contraceptive methods, including emergency contraception and female condoms. In addition, unsafe abortion remains a major contributor to maternal mortality and morbidity, accounting for the deaths of 47,000 women and girls annually (13 per cent of maternal deaths globally). In 2008, 21.6 million unsafe abortions occurred worldwide, about 2.5 million of them among adolescents; more than 95 per cent of unsafe abortions take place in Africa and Latin America. Up to 5 million women and girls suffer short- and long-term injuries due to the consequences of unsafe abortions, including haemorrhage; sepsis (infection); trauma to the vagina, uterus and abdominal organs; reproductive tract infection; pelvic inflammatory disease; and infertility.

Reproductive health services, including contraception and safe abortion

Unwanted pregnancies in very young girls are of particular concern. In 2010, in the United States of America, 4,500 births occurred among girls aged 10-14 years. Presumably some pregnancies in that age group were terminated safely for these very young girls who were victims of sexual abuse. Early abortion by trained providers in hygienic circumstances is among the safest of medical procedures but it is unavailable to many girls of this age in other countries.

As increasing numbers of countries have adopted broader indications for legal abortion, the World Health Organization (WHO) and other organizations are providing technical and financial support on this issue. Progress must continue in implementing a key recommendation made at the special session of the General Assembly, convened to mark the five-year review of the International Conference on Population and Development, namely, that in circumstances where abortion is not against the law, health systems should train and equip health-service providers and should take other measures to ensure that such abortion is safe and accessible. Even where abortion is permitted for multiple reasons, many women, especially young women and girls, are not familiar with the applicable laws, and access to safe procedures is impeded because of high costs, lack of trained and equipped providers, resistance by some facilities and providers and other factors.

Reproductive health and human rights

In a 2010 study, the Office of the United Nations High Commissioner for Human Rights (OHCHR) concluded that, in the context of preventable maternal mortality and morbidity, obligations require States (a) to refrain from taking actions that would obstruct women's access to the health-care services they need or to the underlying determinants of health (duty to respect); (b) to take measures to prevent women from dying in childbirth and pregnancy (duty to protect); and (c) to take legislative, administrative and judicial action, including through the commitment of maximum available resources to prevent maternal mortality and morbidity (duty to fulfil). OHCHR has reiterated that a key result of the human rights-based approach is that, ultimately, women will be able to exercise their right to participate in decision-making processes, including those affecting their sexual contraception, pregnancy, childbirth and in addressing unsafe abortion. In August 2011, the Special Rapporteur on the right to health called on States to remove criminal penalties and

restrictive policies related to comprehensive sexuality education, family planning and abortion.

The revision of laws and policies that prohibit or restrict access to reproductive health services, as recommended by WHO and other United Nations agencies, is essential for guaranteeing adolescents' reproductive health. This includes the harmonization of laws governing sexuality with human rights, for example, on sexual orientation, gender identity, consensual versus forcible and coerced sexual intercourse; the provision of services according to the evolving capacity of the child rather than simply on the basis of age; and rescinding the requirements for parental and spousal consent for services and commodities, such as HIV testing, condoms, contraception and abortion.

While respect for religious, traditional and cultural values and beliefs is a fundamental tenet of human rights, reference to such values and beliefs must not obstruct or prevent the implementation of all other human rights, including children's rights. Likewise, calls to uphold national sovereignty to create exceptions or exemptions from implementing sexual and reproductive rights is unacceptable and contravenes the obligations stipulated in numerous international conventions and treaties to which the Member States of the Commission on Population and Development are parties.

Recommendations

With the above considerations in mind, and based on previous intergovernmental agreements and evidence-based recommendations of international organizations, Governments should ensure that the following measures are taken:

- Strengthening of health systems to ensure that they improve sexual and reproductive health and reduce maternal morbidity and mortality by providing adolescents and young women and men, on a priority basis, with equitable access to sexual and reproductive health services, including the widest achievable range of safe and effective contraceptive methods, including male and female condoms, emergency contraception and microbicides when available; pregnancy-related services including antenatal and post-natal care, skilled attendance at delivery, essential obstetric care and safe abortion; and screening and treatment for HIV/STIs

- Revision of national and international health and development strategies to improve access to contraceptive, family planning, safe abortion and other sexual and reproductive health services, particularly for groups of disadvantaged and vulnerable youth, such as rural, disabled, refugee and displaced young people, young married women and youth living with HIV/AIDS, ensuring that such services are close to where these young people and adolescents live and work

- Promotion of male responsibility and use of contraceptive methods (for example, condoms and vasectomies) and enhancement of male involvement, with women's consent, in maternal health services. This should include the education of young men to respect women's self-determination and to share responsibility with them in matters of sexuality and reproduction as called for in the World Programme for Action on Youth

- Promotion of the use of and access to safer abortion techniques, such as vacuum aspiration and medical abortion
- Strengthening of the abortion-related skills of health-care providers, especially midwives, while providing training on their specific obligations to meet the needs of young women with regard to privacy, confidentiality and non-judgmental care
- Amendment of legislation criminalizing abortion to remove all punitive measures on women who undergo abortion and on providers of safe abortion care as defined by WHO
- Integration and mutual linkages of contraceptive services, family planning and other reproductive health services with HIV/AIDS programming, such as the addition of information on contraception, including emergency contraception, human papillomavirus vaccinations, screening for reproductive tract cancers, safe abortion care, voluntary HIV counselling and testing, prevention of vertical transmission of HIV, and antiretroviral therapy, to increase the likelihood that adolescents and young women and men will obtain the information and services they need to make informed decisions regarding their sexual and reproductive health
- Training of health-care providers to provide comprehensive services that screen for violence, treat emotional, physical and sexual abuse among women, youth, sexual minorities, including confidential, non-judgmental counselling and appropriate referrals. Such services should include confidential counselling and testing for HIV and sexually transmitted infections, post-exposure prophylaxis to prevent HIV infection and treat sexually transmitted infections, pregnancy counselling and testing, emergency contraception and safe abortion services if desired by the woman or girl involved